Case: 4:05-cv-01876-CABJN இடி இரு மூர் இரு மூர்

| DONALD M. DICKINSON | |
|---------------------|--------------------------------|
| Petitioner, |) Case No. 05-1876) |
| -VS- |) |
| SAMUEL TAMBI, |)) Judge Christopher A. Boyko |
| Respondent. |) Suage Christopher A. Boyko |
| |) |

On 7/28/2005, Petitioner, *pro se*, filed a Petition for Writ of *Habeas Corpus* pursuant to 28 U.S.C. § 2254 (Dkt. # 1). The case was referred to Magistrate Judge Nancy A. Vecchiarelli pursuant to Local Rule 72.2 (Dkt. #4). On 3/15/2007, the Magistrate Judge recommended that Petitioner's application for habeas corpus be denied (Dkt. # 24).

FED. R. CIV.P. 72(b) provides that objections to a Report and Recommendation must be filed within ten (10) days after service, but Petitioner failed to timely file any such objections. Petitioner was released from prison on 3/5/2007 and failed to notify the Court of a new address. Therefore, the Court must assume that Petitioner is satisfied with the Magistrate Judge's recommendation. Any further review by this Court would be a duplicative and inefficient use of the Court's limited resources. Thomas v. Arn, 728 F.2d 813 (6th Cir. 1984), aff'd, 474 U.S. 140 (1985); Howard v. Secretary of Health and Human Services, 932 F.2d 505 (6th Cir. 1991); United States v. Walters, 638 F.2d 947 (6th Cir.1981).

Therefore, the Court ADOPTS the Report and Recommendation of Magistrate Judge Vecchiarelli and Petitioner's Writ of *Habeas Corpus* (Dkt. # 1) is **DENIED.**

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Furthermore, the Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an

appeal from this decision could not be taken in good faith, and that there is no basis

upon which to issue a certificate of appealability. 28 U.S.C. §2253(c); Fed. R. App. P.

22(b).

IT IS SO ORDERED.

Dated: 2/18/2009

S/Christopher A. Boyko

CHRISTOPHER A. BOYKO

UNITED STATES DISTRICT JUDGE